

REMARKS

In the Office Action mailed February 21, 2006, claims 1, 2, 6 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Reynolds (U.S. Patent No. 5,742,499). The foregoing rejection is respectfully traversed.

Claims 1, 2 and 6 have been amended to further clarify the present invention. Support for the claim amendments can be found at FIG. 2 and pages 9-11 of the specification, for example. Claims 1, 2, 6 and 8 are currently pending and under consideration. Reconsideration is respectfully requested.

The Applicants respectfully request that the Examiner acknowledge and consider the IDS filed on June 7, 2006.

Claim 1 has been amended to recite "measuring a communication performance between a plurality of communication devices connected to a network, by measuring a communication time of each of the communication modes of one of the communication devices under a plurality of communication conditions comprising a version of an operating system of the communication devices". Reynolds fails to discuss these features.

Various embodiments of the present invention disclose determining a communication mode comparing communication performance comprising a hardware specification and a version of an operating system, for example. Assuming a heterogeneous environment, it is possible that optimum communication parameters are different at each node. Thus, in the present invention, performances at every node are measured in order to determine the optimum communication mode for each node.

Reynolds merely discusses a multi-processor parallel processing computer system in which different communication modes are available for performing an information distribution operation between processors within the computer system (see Abstract; and FIG. 1). As shown in FIG. 1, Reynolds discusses a parallel processing system including a plurality of processors, network connections and a network fabric. Each processor is capable of communicating with each other processor through the network fabric (see column 3, line 26 – column 4, line 6). That is, the processors are communicating with each other. An application program may request the computer system to perform a plurality of "operations" (see column 4, lines 18-24). Each particular operation requires communication among the nodes of the parallel processing system. Further, Reynolds discusses executing a network speed test, to check hardware performance. Reynolds fails to discuss executing a network speed test between all nodes.

Further, the Applicant respectfully submits that "a parallel processing system having a plurality of processors" is not comparable to "communication performance between a plurality of communication devices connected to a network" as recited in claim 1, for example. Therefore, the teachings of Reynolds are fundamentally different from that of the present invention.

Claims 2 and 6 has been amended to recite similar features as those recited in amended claim 1.

Thus, withdrawal of the rejection is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Date:

7/21/2006

Respectfully submitted,

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